

FEB 01 2005

WILLIAMS, MORGAN & AMERSON, P.C

10333 Richmond Drive, Suite 1100, Houston, Texas 77042

phone: 713-934-7000 fax: 713-934-7011

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GROUP ART UNIT 2661

DATE: FEBRUARY 1, 2005

TO: COMMISSIONER FOR PATENTS TOTAL NO. OF PAGES INCLUDING COVER: 6

FAX: 703.872.9306

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FROM: KATHRYN DANAS

CUSTOMER NO. 46290

RE: NOTICE OF APPEAL &
PETITION TO REVIVE AN
UNINTENTIONALLY
ABANDONED APPLICATIONFILE: 2100.002900
S/N 09/660,093☐ URGENT ☐ FOR REVIEW ☐ PLEASE YOUR FILE ☐ PLEASE REPLY ☐ PLEASE HANDLEORIGINAL: ☐ WILL FOLLOW ☒ WILL NOT FOLLOW

NOTES/COMMENTS:

MARK W. SINCELL | Patent Agent
Williams, Morgan & Amerson, P.C.
10333 Richmond | Suite 1100 | Houston, TX 77042
Voice: 713-934-4052 | Fax: 713-934-7011
EMAIL: MSINCELL@WMALAW.COM

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FEB 01 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mehmet O. Sunay

Serial No.: 09/660,093

Filed: September 12, 2000

For: CODE SPACE SHARING AMONG
MULTIPLE MODES OF OPERATION

Examiner: J. Kading

Group Art Unit: 2661

Att'y Docket: 2100.002900

Mail Stop PETITION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION
37 C.F.R. 1.6(D)

I hereby certify that this correspondence is being sent by
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below:

02-01-05
DateKathy Donaw
SignaturePETITION TO REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION UNDER
37 C.F.R. § 1.137(B)

Sir:

Applicant hereby petitions to revive the above-captioned patent application, which was unintentionally abandoned.

A Final Office Action was mailed May 10, 2004 for the above-referenced application. The Office Action set forth a 2-month deadline for response of July 10, 2004. A response to the Final Office Action was timely filed on July 7, 2004. However, no Advisory Action was received in response to the response. At least in part because no Advisory Action was received by the undersigned, Applicant unintentionally failed to file a Notice of Appeal by the 6-month deadline of November 10, 2004 deadline, thereby causing this application to become unintentionally abandoned.

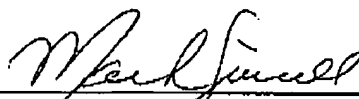
Serial No. 09/660,093

In a telephone interview on or about November 23, 2004, Examiner Kading informed the undersigned that the response to the Final Office Action mailed on July 7, 2004 had not been placed on his docket and therefore no Advisory Action was sent. Examiner Kading advised the undersigned to wait for a Notice of Abandonment and then to file a petition to revive the above-captioned patent application upon receipt of the Notice of Abandonment. The Notice of Abandonment was mailed December 13, 2004.

For at least the aforementioned reasons, Applicant believes that the entire delay in filing the required reply, from the due date for the reply until the filing of the present petition, was unintentional.

Applicant includes herein the required reply to the Final Office Action, which in the present case is a Notice of Appeal. It is believed that a fee of \$1,300.00 is required to cover cost of filing this petition. The Commissioner is authorized to deduct said fees from **Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/2100.002900**. However, if the Office determines that additional fees are required, the Commissioner is authorized to charge the appropriate fees to Williams, Morgan & Amerson Deposit Account No. 50-0786/2100.002900.

Respectfully submitted,



Mark W. Sincell

Reg. No. 52,226

Agent for Applicants

WILLIAMS, MORGAN & AMERSON
10333 Richmond, Suite 1100
Houston, Texas 77042
(713) 934-4052

Date: 2/1/05